

SENATE SUMMARY OF HOUSE AMENDMENTS

**SB 516 By Senator Crowe**

**KEYWORD AND SUMMARY AS RETURNED TO THE SENATE**

COMMERCIAL REGULATIONS. Provides for suit by an officer, member, manager or partner of certain business entities due to unauthorized removal of their name from certain records filed with the secretary of state. (8/1/12)

**SUMMARY OF HOUSE AMENDMENTS TO THE SENATE BILL**

1. Removes the provisions dealing with filing a document with the secretary of state that contains a name change as to any officer, member, manager, or partner of a business entity unless certain actions take place.
2. Removes the notification requirements.
3. Clarifies that the aggrieved party file suit in the district court where the business entity is located.

**DIGEST OF THE SENATE BILL AS RETURNED TO THE SENATE**

Crowe

SB No. 516

Present law provides for the regulation of corporations, limited liability companies and partnerships by the secretary of state.

Proposed law provides that if any officer, member, manager, or partner has his name removed from any document or record of the secretary of state, in violation of state law or in contravention of any document of creation, organization, or management of the business entity, the aggrieved party may file suit against the party who caused the aggrieved party's name to be removed from the document or record.

Proposed law requires the suit to be filed in the district court where the business entity is domiciled and that the secretary of state to be made a party to the suit.

Proposed law requires the court to conduct a hearing within ten days after service of process of the suit and that if the court determines that the name of the aggrieved party was improperly or fraudulently removed from the documents and records of the secretary of state, then requires the court to order the secretary to replace the name of the party on all appropriate documents and records.

Effective August 1, 2012.

(Adds R.S. 12:1701)

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